

JOSEPH P. RUSSONIELLO (CABN 44332)
United States Attorney

BRIAN J. STRETCH (CABN 163973)
Chief, Criminal Division

ANDREW S. HUANG (CABN 193730)
Assistant United States Attorney

1301 Clay Street, Suite 340S
Oakland, California 94612
Telephone: (510) 637-3680
Facsimile: (510) 637-3724
E-Mail: andrew.huang@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. CR 08-0214 VRW-JL
)	
Plaintiff,)	
)	
v.)	UNITED STATES' MOTION TO UNSEAL
)	SEARCH WARRANTS AND
)	<u>[PROPOSED]</u> ORDER
CARLOS D. ARAIZA,)	
)	
Defendant.)	

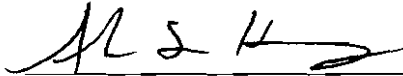
The United States hereby moves the Court for an order unsealing all Applications and Affidavits for Search Warrant, Search Warrants, and all attachments thereto, relating to this case. Specifically, the government obtained search warrants for the defendant's residence (No. 3:05-70227-JL) and e-mail accounts (No. 3:04-30451-JL) on April 4, 2005 and December 22, 2004, respectively. At the time the search warrants were sought, the government sought and obtained sealing orders based on the sensitivities of the ongoing federal investigation at the time, including the possibility that disclosure of the facts of the investigation would have alerted the target and resulted in the destruction of evidence, thus compromising the investigation. Because the defendant is the sole target of the investigation and to facilitate production of discovery to the defendant, unsealing the search warrants and related documents is appropriate and necessary

1 at this time. The government has consulted with defense counsel who does not oppose this
2 motion and supports the government's efforts to unseal the search warrant materials in order to
3 provide them in discovery.

4 Dated: April 30, 2008

5 Respectfully submitted,

6 JOSEPH P. RUSSONIELLO
7 United States Attorney

8 
9 ANDREW S. HUANG
10 Assistant United States Attorney

11
12 **~~[PROPOSED]~~ ORDER**

13 Based upon the motion of the government and for good cause shown, it is hereby
14 ORDERED that the following shall be UNSEALED:

- 15 1. Application and Affidavit for Search Warrant, Search Warrant, and
16 all attachments thereto, No. 3:04-30451-JL; and
17 2. Application and Affidavit for Search Warrant, Search Warrant, and
18 all attachments thereto, No. 3:05-70227-JL.

19
20 DATED: April 30, 2008

21 
22 Hon. JAMES LARSON
23 Chief United States Magistrate Judge
24
25
26
27
28